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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 001170

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STATE FOR SCA/INS, USPACOM FOR FPA

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SUBJECT: FOREIGN MINISTER AND AMBASSADOR DISCUSS DEVOLUTION  
AND HUMAN RIGHTS; MINISTER SEEKS MEETING WITH SECRETARY IN  
OCTOBER

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Classified By: Ambassador Robert O. Blake, Jr. for reasons  
1.4 (b) and (d).

1. Summary: In an August 27 meeting, Foreign Minister Bogollagama and Ambassador reviewed human rights, the status of the All Parties Representative Committee (APRC) deliberations, and a request by the Foreign Minister to meet the Secretary anytime between October 4 and 8 in Washington. The Ambassador told the Minister that local human rights activists groups credit the GSL with reducing substantially the number of abductions in Colombo in recent months. However, the human rights situation in Jaffna, Vavuniya and Mannar remains as bad as ever and there appeared to have been only a slight improvement in the east. He reminded the Minister that SCA PDAS Mann recently informed Ambassador Goonetilleke that a meeting with the Secretary at UNGA would not be possible absent progress on human rights. With respect to the APRC, the Ambassador welcomed the President's personal endorsement of provincial level devolution, but expressed concern that: a) consensus remained elusive on the question of dropping the "unitary" state that is anathema to Tamils; and b) the JVP had threatened to withdraw its support for the government during the November budget debate should the government proceed with provincial level devolution. The Minister acknowledged an APRC delay was possible. Ambassador urged the GSL not to allow the JVP to hijack the possibility of fashioning a credible devolution proposal. End Summary.

12. (C) The Foreign Minister convoked Ambassador on August 27 to respond to the Ambassador's letter reminding the GSL of the importance of complying with the provisions of UNSCRs 1737 and 1747 requiring member states to freeze the assets of Iranian bank Sepah (sep tel). Following that brief

discussion the Minister asked all notetakers to leave so he could speak privately with the Ambassador. The Minister opened by asking the Ambassador's frank assessment of progress with respect to the All Parties Representative Committee (APRC) and Human Rights.

#### Human Rights: Modest Progress but Much More to Be Done

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13. (C) The Ambassador responded that there had been modest progress on human rights, but much more needed to be done. Elaborating, the Ambassador noted that local human rights groups credited the GSL with reducing substantially the number of abductions in Colombo in recent months. However, the human rights situation in Jaffna, Vavuniya and Mannar remain as bad as ever and there appeared to have been only a slight improvement in the east. The Ambassador reminded the Minister that with the President's forthcoming trip to New York for the UN General Assembly, many governments would be seeking indicators of progress, since the President announced the formation of the Commission of Inquiry at last year's UNGA. With the one year anniversary of the Commission fast approaching, the Commission had only just begun to deal with two of the many high profile cases it had been tasked to investigate. The Ambassador urged the government to do everything possible to accelerate the work of the Commission and bring known perpetrators of human rights violations to justice.

#### APRC: Sinhalese Support for "Unitary" State a Stumbling Block

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14. (C) With respect to the APRC, the Ambassador welcomed the President's personal endorsement of provincial level devolution, but expressed concern that: a) consensus remained

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elusive on the question of dropping the "unitary" state that is anathema to Tamils; and b) the JVP had threatened to withdraw its support for the government during the November budget debates should the government proceed with provincial level devolution. The Ambassador explained that the SLFP's continued support for a "unitary" state led many moderate Tamils and others to question the sincerity of the SLFP's support for devolution if the language, culture and religions of other minorities are not provided for and protected in the Constitution.

15. (C) The Minister thanked the Ambassador for his candor and addressed first the APRC question. He noted that the President's personal position had evolved substantially from his earlier support for district-level devolution. He explained, however, that the President was reluctant to go the last mile because he was concerned that the UNP and JVP would exploit for electoral advantage any significant concessions to the Tamils. The Ambassador interjected that the President should not allow the JVP to hijack his agenda. Most political analysts believe the JVP is bluffing in its threats to bring down the government because it is likely the JVP would lose votes if new parliamentary elections were to be held. Furthermore, despite the UNP's current tough language against the government, it was unlikely that the UNP would oppose federal devolution within a united Sri Lanka because Tamils and other minorities form a key part of the UNP's electoral base. Finally, the President remains personally popular among the Sinhalese electorate, and has the charisma to explain to them why devolution will help them and the country.

16. (C) Bogollagama agreed with "most" of the Ambassador's analysis, but cautioned that the President had to proceed cautiously. He said the President is particularly concerned about the majority Sinhalese districts that border LTTE controlled areas, such as the districts of Anuradhapura, Polonnaruwa and Monoragala. The President needed to build the confidence of the Sinhalese electorate in those areas

through development programs and through further progress in the east. With respect to a possible delay in the APRC proceedings until after the November budget debate, the Minister acknowledged this was a serious possibility, but said no final decision had been made. The Ambassador said a delay might be acceptable provided the government is willing to cede on the unitary issue and come forward with a complete APRC devolution package that will satisfy moderate Tamils. The Minister agreed, but said the unitary question might have to be put before the Supreme Court since this involved a constitutional change. The Ambassador suggested that many other proposals within the APRC would also require constitutional changes so the package might better be considered as a whole with the "unitary" word finessed in some other way, which Professor Vitharana was trying to solve.

#### Request to Meet Secretary Rice in October

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¶7. (C) In closing, Bogollagama briefed the Ambassador on his travel plans for September. Bogollagama said he plans to visit Brussels on September 4 to meet Javier Solana and Paris September 5 to meet Foreign Minister Kouchner. The Minister and President Rajapaksa plan to arrive in New York on September 23. The President will stay in New York three days; the Minister plans to stay until October 4. Bogollagama then proposed to come to Washington anytime between October 4 through October 8. He said he hoped to bring Defense Secretary Rajapaksa with him so the two could meet with Secretary Rice. The Ambassador drew the Minister's

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attention to Ambassador Goonetilake's recent meeting with SCA PDAS Mann in which Mann had informed Goonetilake that a meeting with the Secretary at UNGA would not be possible absent significant progress on human rights. The Minister nodded and said he would do his best.

¶8. Comment: It is clear that the President remains concerned about JVP threats to bring down his government. His thin majority in Parliament and his natural reluctance to part political company with the JHU and JVP who helped get him elected President, account for the President's hesitation in endorsing a devolution package that will be acceptable to moderate Tamils. Septel will provide more details. This was the first we have heard that the President plans to scale up development in the districts of Anuradhapura, Polonnaruwa and Monoragala. If so, this is welcome news for the Foreign Minister since his own electoral constituency in nearby Kurunegala would stand to benefit.

BLAKE